

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
Dallas Division

Trend Intermodal Chassis Leasing LLC,	§	
	§	
Plaintiff,	§	
	§	CIVIL ACTION NO.:
v.	§	3:23-cv-01143-L-BN
	§	
Zariz Transport, Inc.,	§	IN ADMIRALTY, Rule 9(h)
	§	
Defendant,	§	
	§	
and	§	
	§	
JPMorgan Chase Bank, N.A.,	§	
Kuehne + Nagel Inc.,	§	
	§	
Garnishees.		

PROCESS OF MARITIME ATTACHMENT AND GARNISHMENT

TO GARNISHEE: KUEHNE + NAGEL INC.
2271 French Settlement Rd.
Dallas, TX 75212

THE PRESIDENT OF THE UNITED STATES OF AMERICA

THE UNITED STATES MARSHAL FOR THE NORTHERN DISTRICT OF TEXAS,

GREETINGS:

WHEREAS, Plaintiff Trend Intermodal Chassis Leasing LLC filed a Verified Original Complaint in the United States District Court for the Northern District of Texas on May , 2023, with a claim against Defendant Zariz Transport, Inc.in an amount of at least **\$754,726.81** (herein, the “Garnishment Amount”), with a prayer for process of maritime attachment and garnishment against the property of said Defendant, accompanied by an Affidavit pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure stating that, to the best of affiant’s knowledge, or on information and belief, the Defendant cannot be found within the District, together with a Motion for Issuance of Process of Maritime Attachment and Garnishment, and

WHEREAS, the Court reviewed the Verified Original Complaint and Affidavit and found that the conditions of Rule B appeared to exist and entered an Order so stating and authorizing the issuance of process of maritime attachment and garnishment;

NOW THEREFORE, we hereby do empower, strictly charge and command you, the said

Marshal, (1) to cite and admonish Defendant if it be found in your District, to appear before the United States District Court for the Northern District, at the United States District Courthouse, 1100 Commerce Street, Dallas, Texas 75242, within the time prescribed by law, then and there to answer the aforementioned Verified Original Complaint, and to make their allegations in their behalf; and if the Defendant cannot be found in the Northern District of Texas, (2) to cause service to be made on such garnishees or their agents in this District holding property including accounts of Defendant Zariz Transport, Inc., garnishing any tangible or intangible personal property, which belongs to, is the property of, is held in a fiduciary capacity for, or is otherwise claimed by Defendant, in an amount up to the Garnishment Amount.

We do further hereby empower, strictly charge and command you, the said Marshal, to instruct Garnishee, and its agents, to maintain custody and possession of the tangible personal property, including, but not limited to any accounts, which belong to, is the property of, is held in a fiduciary capacity for, or is otherwise claimed by Defendant and having served the warrant to make due and prompt return.

We do further hereby empower, strictly charge and command you, the said Marshal, to execute this writ by leaving with the Garnishee a copy of the complaint and process requiring the Garnishee to answer as provided in Rule B(3)(a) of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure; or you may accept for payment into the registry of the Court the amount owed to the extent of the amount claimed by Plaintiff with interest and costs.

We do further empower, strictly charge and command you, the said Marshal, to notify the Defendant and Garnishees as follows:

- (1) An attachment and garnishment has been filed pursuant to Rule B of the Supplemental Rules of Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure against Zariz Transport, Inc., Defendant in this action;
- (2) Garnishee is required to file with the Clerk of the United States District Court for the Northern District of Texas, with copy to the Plaintiff's attorney Scott R. Wiehle, Kelly Hart & Hallman LLP, 201 Main Street, Suite 2500, Fort Worth, Texas 76102 and J. Stephen Simms, Simms Showers, LLP, 201 International Circle, Suite 230, Baltimore, Maryland 21030, within twenty-one (21) days from the service of this Writ, a report, under oath, setting forth in detail all debts owing by Garnishee to Defendant; all property of Defendant in the possession, custody or control of Garnishee or to which the Garnishee hold legal title; all property which is held by Garnishee as fiduciary in which the Defendant has an interest; and whether any property attached is immune or exempt from attachment; unless, if intangible property is attached, Garnishee provides to the Marshal for payment into the registry of the Court the amount owed to the extent of the amount claimed by Plaintiff with interest and costs, in which event Garnishee shall not be required to answer;
- (3) Garnishee is required to promptly forward a copy of this Writ to Defendant;
- (4) Defendant is required to file with the Clerk of the United States District Court for

the Northern District of Texas, with copy to the Plaintiff's attorney Scott R. Wiehle, Kelly Hart & Hallman LLP, 201 Main Street, Suite 2500, Fort Worth, Texas 76102 and J. Stephen Simms, Simms Showers, LLP, 201 International Circle, Suite 230, Baltimore, Maryland 21030, within thirty (30) days of service of this Writ, an answer to Plaintiff's Verified Original Complaint.

- (5) A hearing of any objections which might be raised by Defendant, or the Garnishee herein, under Rule E(4)(f) of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure may be scheduled by calling the case manager of the United States District/Magistrate Judge in this case.

Witness, the Honorable Judge of the United States District Court for the Northern District of Texas, this ____ day of July, 2023.

KAREN MITCHELL,
United States District Clerk for the
Northern District of Texas

By: _____
Deputy Clerk

NOTE: This process is issued pursuant to Rule B(1) of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure.